

## **REMARKS / ARGUMENTS**

### **Status of Claims**

Claims 11-14, 19-20, 22-23, 27-29 and 55-63 are pending in the application. Claims 55-63 stand rejected. Claims 11-14, 19-20, 22-23 and 27-29 are allowed. Applicant has canceled Claims 55-63, leaving Claims 11-14, 19, 20, 22, 23, and 27-29 for consideration upon entry of the present Amendment.

Applicant respectfully submits that in light of this amendment the rejections under 35 U.S.C. §102(b), and 35 U.S.C. §103(a) are now moot, that no new matter has been entered, and that the application is in condition for allowance.

### **Rejections Under 35 U.S.C. §102(b) and 35 U.S.C. §103(a)**

By this Amendment, Applicant has canceled the claims rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a), leaving Claims 11-14, 19, 20, 22, 23, and 27-29 which the Examiner has previously stated were in a condition of allowance. Applicant reiterates their disagreement with the Examiner's position on the definition of the term "flush" It is the Applicant's position that the term "flush" does require a flat surface or a "continuous plane", see for example, Webster's New Collegiate Dictionary. Further, Applicant respectfully submits that the rejected Claims do "limit a claim to a particular structure," and, therefore, limit the scope of the claim. Applicant respectfully reiterates, and incorporates by reference, the arguments presented in paper 20070425 that Claims 55-63 are not anticipated by, nor obvious in light of Yamamoto et al.

Notwithstanding the foregoing, in respectful disagreement with the Examiner's rejections, and with no intent to change or relinquish the scope of the claims, Applicant has, in an effort to advance this case to allowance, canceled Claims 55-63. Accordingly, Applicant respectfully requests reconsideration and withdrawal of these rejections, which Applicant considers to be moot.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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